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INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Ronald E. Smith
Attn:	Michael A. Brown - Art Unit 3772	Client:	1320.02
Fax:	(571) 273-8300	Pages:	10 including coversheet
Phone:	(571) 272-4972	Date:	February 29, 2008
Re:	USSN: 09/682,353	CC:	Bailey Walsh & Co.

☐ Urgent☒ For Review☐ Please Comment☐ Please Reply☐ Please Recycle

Dear Examiner Brown:

In response to the Office Action Summary mailed January 22, 2007, we enclose the following:

- 1) Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated February 29, 2008 - (2 pages); and
- 2) Amendment C with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated February 29, 2008 - (7 pages).

Very respectfully,

Ronald E. Smith  
USPTO Reg. No. 28,761

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FEB 29 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. : 09/682,353 Confirmation No. 8397  
Applicant : Richard M. Hall  
Filed : 08/24/2001  
TC/A.U. : 3772  
Examiner : Michael A. Brown  
Docket No. : 1320.02  
Customer No. : 21,901  
For : Obesity Treatment Aid

Transmitted to Central Fax at (571) 273-8300  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is a response for this application.

**STATUS**

2. Applicant is an independent inventor.

**EXTENSION OF TERM**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

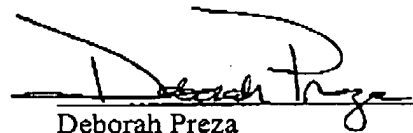
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**CERTIFICATE OF FACSIMILE TRANSMISSION**

(37 C.F.R. 1.8 (a))

II HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 3764, Attn: Michael A. Brown, (571) 273-8300, on February 29, 2008.

Dated: February 29, 2008

  
Deborah Preza

(Amendment Transmittal - Page 1 of 2)

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## FEE FOR CLAIMS

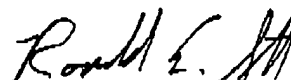
4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col.2)	(Col.3)	SMALL ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee
Total	26	Minus	35	= 1	x \$25 =	\$25
Indep.	2	Minus	5	= 1	x \$105 =	\$100
First Presentation of Multiple Dependent Claim					+ \$185 =	\$0
Total					Addit. Fee	\$125

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
  - \*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".
  - \*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

An additional fee for claims is required.

Very respectfully,



SIGNATURE OF PRACTITIONER

Ronald E. Smith  
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(Amendment Transmittal - Page 2 of 2)

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AMENDMENT C

## Introductory Comments

Sir:

In response to the Office Action mailed January 22, 2008, having a shortened statutory period for response set to expire March 22, 2008, the above-identified application is amended a third time as follows:

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks** begin on page 7 of this paper.